



GENERAL MESSAGE: This legislation codifies existing welfare policy reforms enacted by the Kansas Department for Children and Families (DCF). These employment-focused policy changes should be in statute to ensure transparency and legislative input. The additional proposals will help us achieve our mission, which includes encouraging personal responsibility. The most effective path out of poverty is employment. We have seen first-hand how this is true for individuals who participate in our work programs.

WHAT THE HOPE ACT DOES:

- recodify public assistance statutes and incorporate existing policies in statute
- repeal obsolete statutes
- add several new welfare reform policies

Welfare reforms into law

TANF Cash Assistance

- Progressive periods of ineligibility for not complying with TANF work requirements.
- 36-month TANF lifetime limit. An additional 12 months of eligibility may be allowed if hardship criteria are met.
- Prohibit TANF cash assistance from being used in liquor stores, casinos, gaming establishments, and retail establishments providing adult entertainment.
- Authorize diversion payments in lieu of monthly cash assistance.
- Include current eligibility requirements, such as completing a work assessment and cooperating with work programs.
- Require DCF to maintain a sufficient level of dedicated work program staff to enable the agency to conduct work program case management services to TANF recipients in a timely manner and in full accordance with state law and agency policy.
- Establish an exemption from the TANF work participation requirements for parents with a child less than three months of age. The three-month limitation shall not apply if the adult is personally providing care for a child born significantly premature, with serious medical conditions/ disabilities.
- Require a 90-day review for clients placed in a “work experience” activity.
- Require persons with disabilities to participate in work activities to an extent consistent with their disabilities. TANF participants shall provide current documentation by a qualified medical practitioner that details the abilities to engage in employment and any limitations in work activities along with the expected duration of such limitations.

TANF Cash Assistance and Child Care Assistance

- Progressive periods of ineligibility for TANF cash assistance and child care assistance for not complying with child support requirements.
- Establish fraud penalties. Assistance to the children in the family may be continued under a third party, protective payee.
- Count the income of cohabitating partners when determining eligibility and benefits.

Child Care Assistance

- Establish a 20-hour minimum weekly work eligibility requirement for employed parents (not receiving TANF cash assistance).
- Reduce the minimum weekly work requirement to 15 hours for parents engaged in post-secondary education.

SNAP (Food Assistance)

- Prohibit the state from adopting the U.S. Department of Agriculture option of “broad-based categorical eligibility” which expands SNAP eligibility and assistance.
- Prohibit the use of federal or state funds for advertising to promote SNAP participation.
- Prohibit DCF from requesting or implementing a U.S. Department of Agriculture waiver or program that would relax the 1996 Welfare Reform Act’s time limit on employable adults with no children.
- Count the income of non-citizens when determining SNAP benefits.
- Name a protective payee for SNAP households where the adults have been convicted of fraud

Statutes Repealed

- Certain programs no longer exist, that should be removed from existing language, including General Assistance, Transitional General Assistance and KanWork programs.
- The mandate that requires DCF to apply to the federal government to implement electronic benefits transfers is removed.
- The final repeal concerns statutes under which DCF would establish and operate child care centers.

New Policies Proposed

- Child Support Cooperation—SNAP adult recipients are required to cooperate with child support and work program requirements.
- Drug Convictions—The individual shall be disqualified from SNAP if they have been convicted of a state or federal felony offense occurring on or after July 1, 2015, involving possession or use of a controlled substance or controlled substance analog. An individual shall be eligible for food assistance again if the individual enrolls in and participates in a drug treatment program approved by the secretary, submits to and passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan. An individual’s failure to do so shall result in ineligibility for food assistance until these requirements are met. If an individual is convicted a second time of a drug felony on or after July 1, 2015, then the individual will be permanently disqualified. Any family members will continue to receive food assistance if otherwise eligible.
- Prohibited Purchases—TANF recipients would be prohibited from using cash assistance for sexually-oriented adult materials, in sexually-oriented businesses, or in any business or retail establishment where minors under age 18 are not permitted. TANF cash assistance would also not be allowed to purchase concert tickets, professional or collegiate sporting event tickets or tickets for other entertainment events intended for the general public. Cash assistance cannot be used in a jewelry store, tattoo parlor, massage parlor, body piercing parlor, spa, nail salon, lingerie shop, tobacco paraphernalia store, vapor cigarette store, psychic or fortune telling business, bail bond company, video arcade, movie theater, swimming pool, cruise ship, theme park, dog or horse racing facility or pari-mutuel facility.
- 36-month TANF Time Limit—The family group shall not be eligible for TANF if the family group contains at least one adult member who has received TANF, including TANF assistance received in any other state, for 36 calendar months beginning on and after October 1, 1996, unless the secretary grants a hardship extension allowing receipt of TANF until the 48-month limit is reached. The 36-month limit has since been lowered to 24 months (plus a 12-month hardship extension, when applicable).
- Family Resources—When determining eligibility, one motor vehicle owned by the applicant for assistance, regardless of the value of such vehicle, is considered exempt personal property and any equity in any boat, personal water craft, recreational vehicle, recreational off-highway vehicle or all-terrain vehicle, as defined by K.S.A. 8-126, and amendments thereto, or any additional motor vehicle owned by the applicant for assistance is a nonexempt resource of the applicant for assistance except that any additional motor vehicle used by the applicant, the applicant’s spouse or the applicant’s cohabiting partner for the primary purpose of earning income may be considered as exempt personal property in the secretary’s discretion.
- Cash Withdrawal Limit—No TANF cash assistance shall be used for purchases at points of sale outside the state of Kansas. TANF cash assistance withdrawals from automated teller machines (ATMs) were initially limited to one transaction per day and \$25 per transaction, but these provisions have since been repealed.
- Photo IDs—Photograph of the recipient (or parent/guardian of a child) of public assistance shall be placed on any Kansas benefits cards. The card may serve as valid ID for voting purposes. The amendment provides for an opt-in provision.
- Gross Income Standards—The secretary for children and families shall not apply gross income standards for food assistance higher than the standards specified in 7 U.S.C. 2014(c) unless expressly required by federal law. Categorical eligibility exempting households from such gross income standards requirements shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.
- Electronic verification—Conduct an electronic check for any false information provided on an application for TANF and other benefits programs administered by the department.

(Language above serves as a summary, and is not exact)